

Docket No.: 10010453-1

(PATENT)

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Gary R. Klein, et al.

Application No.: 09/945,372

Filed:

August 31, 2001

Group Art Unit:

2184

Examiner:

Not Yet Assigned

For: SYSTEM AND METHOD FOR DEFINING

MANAGEMENT POLICIES FOR MANAGING

**NETWORK ELEMENTS** 

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated:

**COPY OF PAPERS ORIGINALLY FILED** 

### RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

**Box Missing Parts** 

Commissioner for Patents Washington, DC 20231

Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed October 4, 2001, Applicant respectfully submits a Declaration and a Power of Attorney.

A check in the amount of \$1,230.00 covering the fee set forth in 37 CFR 1.16(e) is enclosed. The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2380.

Dated: November 16, 2001

Respectfully submitted,

Jody C. Bishop

Registration No.: 44,034 FULBRIGHT & JAWORSKI L.L.P.

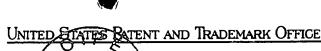
2200 Ross Avenue, Suite 2800

Dallas, Texas 75201

(214) 855-8007

Attorneys for Applicant







COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE

Washington, D.C. 20231 Www.uspto.gov

APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

09/945,372

08/31/2001

Gary R. Klein

10010453-1

**CONFIRMATION NO. 2164** 

**FORMALITIES LETTER** 

\*OC000000006847326\*

FULBRIGHT & JAWORSKI L.L.P. Jody C. Bishop Suite 2800 2200 Ross Avenue Dallas. TX 75201

Date Mailed: 10/04/2001

### NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

01/22/2002 BABRAHA1 00000292 09945372

FILED UNDER 37 CFR 1.53(b)

COPY OF PAPERS ORIGINALLY FILED

01 FC:101 02 FC:105 03 FC:103 740.00 OP 130.00 OP 360.00 OP

JAN 1 6 2002

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

740°°

- The statutory basic filing fee is missing.

  Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$360.
  - \$360 for 20 total claims over 20.
- The oath or declaration is missing.
   A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(I) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

• The balance due by applicant is \$ 1200.

1236

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Complete if Known

# TEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

09/945,372 Application Number August 31, 2001 Filing Date Gary R. Klein First Named Inventor Not Yet Assigned **Examiner Name** 2184 Group Art Unit

METHOD OF PAYMENT				EEE C	ALCIII ATION (continued)	JHIGINAI	
	1	FEE CALCULATION (continued)				LY FILED	
1. The Commissioner is hereby authorized to charge	3. ADDITIONAL FEES						
indicated fees and credit any overpayments to:	Larg	e Entity	Smal	I Entity			
Deposit Account Number 06-2380	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid	
Deposit Account	105	130	205	65	Surcharge - late filing fee or oath	130.00	
Name	127	50	227	25	Surcharge – late provisional filing fee or cover sheet.		
X Charge Any Additional Applicant claims small Fee Required Under entity status. See	139	130	139	130	Non-English specification		
37 CFR 1.16 and 1.17 37 CFR 1.27	147	2,520	147	2,520	For filing a request for ex parte reexamination		
2. X Payment Enclosed	112	920°	112	920*	Requesting publication of SIR prior to Examiner action		
X Check Credit Card Money Order Other	113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		
FEE CALCULATION	115	110	215	55	Extension for reply within first month		
1. BASIC FILING FEE	116	400	216	200	Extension for reply within second month		
Large Entity Small Entity	117	920	217	460	Extension for reply within third month		
Fee Fee Fee Fee Description Fee Paid	118	1,440	218	720	Extension for reply within fourth month		
101 740 201 370 Utility filing fee 740.00	128	1,960	228	980	Extension for reply within fifth month		
106 330 206 165 Design filing fee	119	320	219	160	Notice of Appeal		•
107 510 207 255 Plant filing fee	120	320	220	160	Filing a brief in support of an appeal		
108 740 208 370 Reissue filing fee	121	280	221	140	Request for oral hearing		
114 160 214 80 Provisional filing fee	138	1,510	138	1,510	Petition to institute a public use proceeding		
SUBTOTAL (1) (\$) 0.00	140	110	240	55	Petition to revive – unavoidable		
	141	1,280	241	640	Petition to revive - unintentional		
2. EXTRA CLAIM FEES Extra Fee from Claims below Fee Pald	142	1,280	242	640	Utility issue fee (or reissue)		
Total Claims 40 -20** = 20 X 18.00 = 360.00	143	460	243	230	Design issue fee		
Independent 3 3 = 0 x 84.00 = 0.00	144	620	244	310	Plant issue fee		
Multiple Dependent =	122	130	122	130	Petitions to the Commissioner		
<del>-</del>	123	50	123	50	Processing fee under 37 CFR 1.17(q)		
Large Entity Small Entity	126	180	126	180	Submission of Information Disclosure Stmi		
Fee Fee Fee Fee Fee Description	581	40	581	40	Recording each patent assignment per property (times number of properties)		
103 18 203 9 Claims in excess of 20	146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))		
102         84         202         42         Independent claims in excess of 3           104         280         204         140         Multiple dependent claim, if not paid	149	740	249	370	For each additional invention to be examined (37CFR 1.129(b))		
109 84 209 42 "Reissue independent claims	179	740	279	370	Request for Continued Examination (RCE		
over original patent  ** Reissue claims in excess of 20	169	900	169	900	Request for expedited examination of a design application		
110 18 210 9 and over original patent	Other	fee (spec	ify) 13	31	Basic Filing fee - Utility (CPA)		
SUBTOTAL (2) (\$) 360.00	Red	uced by Ba	asic Fili	ng Fee P	aid SUBTOTAL (3) (\$)	130.00	
**or number previously paid, if greater; For Reissues, see above	<u> </u>						
SUBMITTED BY Complete (if applicable)							
Name (print/type) Jody C. Bishop		tration No. ney/Agent)	44,	034	Telephone (214) 855-800	7	,
Signature Signature	_	>			Date November 16,	2001	

		ee Transmittal
		th the U.S. Postal Service with sufficient postage as First Class Mail, in an ton, DC 20231, on the date shown below.
Dated: November 16, 2001	Signature:	Sail Miller (Gail Miller)

JAN 1 6 2002

-7600



PTO/SB/21 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Please type a plus sign include this box  **RADEMAR** The Paperwork Reduction Act of 1995, no persons a	Appro U.S. Patent and Tradem are required to respond to a collection of info	Approved for use through 10/31/2002. OMB 0651-003  U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE quired to respond to a collection of information unless it displays a valid OMB control number					
	Application Number	09/945,111					
TRANSMITTAL	Filing Date	August 31, 2001 Gary R. Klein					
FORM	First Named Inventor						
(to be used for all correspondence after initial filing)	Group Art Unit	2184)					
	Examiner Name	Not Yet Assigned					
Total Number of Pages in This Submission	Attorney Docket Number	10010454-1					

		ENCLOSURES (check all	that apply)				
X Fee Transm	ittal Form	Assignment Papers (for an Application)	After Allowance Communication to Group				
X Fee Attached		Drawing(s)	Appeal Communication to Board of Appeals and Interferences				
Amendment	/Reply	Licensing-related Papers	Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)				
After F	inal	Petition	Proprietary Information				
Affida	vits/declaration(s)	Petition to Convert to a Provisional Application	Status Letter				
Extension of	f Time Request	X Power of Attorney, Revocation Change of Correspondence Address	X Other Enclosure(s) (please identify below)				
Express Aba	andonment Request	Terminal Disclaimer	37 CFR 3.73(b) Statement Declarations (2)				
Information I	Disclosure Statement	Request for Refund	, ,				
Certified Cop Document(s	py of Priority )	CD, Number of CD(s)	-05WED				
	Missing Parts/		RECEIVED				
	onse to Missing Parts	MAR 2 7 2002					
∟ under	37 CFR 1.52 or 1.53		Technology Center 2100				
	SIGNA	ATURE OF APPLICANT, ATTORNEY, OR A	AGENT				
Firm or Individual Name	or Jody C. Bishon						
Signature	July 12	los					
Date	November 16, 2001						

	Transmittal nce is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an
envelope addressed to: Commissio	oner for Patents, Washington, DC 20231, on the date shown below.  Signature: (Gail Miller)
Dated: November 16, 2001	Signature:(Gail Miller)



( )	PTO/SB/21 (08-00)
sign inside this box	Approved for use through 10/31/2002. OMB 0651-0031
	U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
der the Paperwork Reduction Act of 1995, no persons are required to re	spond to a collection of information unless it displays a valid OMB control number.

# **TRANSMITTAL FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

red to respond to a collection of information unless it displays a valid OMB control number					
Application Number	09/945,111				
Filing Date	August 31, 2001				
First Named Inventor	Gary R. Klein				
Group Art Unit	2184				
Examiner Name	Not Yet Assigned				
Attorney Docket Number	10010453-1				

ENCLOSURES (check all that apply)							
X Fee Transmittal Form		Assignment Papers (for an Application)	After Allowance Communication to Group				
X Fee Attached .		Drawing(s)	Appeal Communication to Board of Appeals and Interferences				
Amendment	t/Reply	Licensing-related Papers	Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)				
After I	Final	Petition	Proprietary Information				
Affida	vits/declaration(s)	Petition to Convert to a Provisional Application	Status Letter				
Extension o	f Time Request	X Power of Attorney, Revocation Change of Correspondence Address	X Other Enclosure(s) (please identify below)				
Express Ab	andonment Request	Terminal Disclaimer	Declarations (2) 37 C.F.R. 3.73(b) Statement				
Information	Disclosure Statement	Request for Refund					
Certified Co	ppy of Priority S)	CD, Number of CD(s)					
X Response to Incomplete	o Missing Parts/ Application	Remarks	1				
X Respo	onse to Missing Parts 37 CFR 1.52 or 1.53						
	SIGNA	ATURE OF APPLICANT, ATTORNEY, OR A	AGENT				
Firm <i>or</i> Individual Name	Jody C. Bishop						
Signature	12h						
Date	November 16, 2001						

ł	Transmittal
ı	I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an
ı	envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.
١	Dated: November 16, 2001 Signature: Aul Miller (Gail L. Miller)



Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Were the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## **FEE TRANSMITTAL** for FY 2002

Patent fees are subject to annual revision.

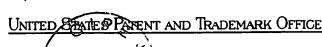
Complete if Known 09/945,111 **Application Number** August 31, 2001 Filing Date Gary R. Klein First Named Inventor Not Yet Assigned Examiner Name 2184 Group Art Unit

TOTAL AMOUNT OF PAYMENT (\$) 960.00 Attorney Docket No. 10010454-1									
METHOD OF PAYMENT			- 11		FEE C	ALCUL	ATION (con	tinued)	
1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:			3. ADDITIONAL FEES						
Deposit Account Number 06-2380		Fee Code	Fee (\$)	Smal Fee Code	Fee (\$)		Fee Desc	cription	Fee Paid
Deposit Account Name		105 127	130 50	205 227	65 25	Surcharg Surcharg cover sh	ge – late filing ge – late provi:	fee or path sional liling oc EIV	/ <u>EB</u>
	ant claims small status. See R 1.27	139 147	130 2,520	139 147	130 2,520	Non-Eng	lish specificat	ion MAR 2 7	<b>20</b> 02
2. X Payment Enclosed		112	920*	112	920*	Requesti Examine	ing publication	echhology Ce	nter 210
X Check Credit Card Money On	der Other	113	1,840*	113	1,840*		ing publication		
FEE CALCULATION		115	110	215	55	Extensio	n for reply with	hin first month	
1. BASIC FILING FEE		116	400	216	200	Extensio	n for reply with	hin second month	
Large Entity Small Entity		117	920	217	460	Extensio	n for reply with	hin third month	
Fee Fee Fee Fee Description  Code (\$) Code (\$)	on Fee Paid	118	1,440	218	720	Extensio	n for reply with	hin fourth month	
101 740 201 370 Utility filing fee	740.00	128	1,960	228	980	Extensio	n for reply with	hin fifth month	
106 330 206 165 Design filing fee		119	320	219	160	Notice of	Appeal		
107 510 207 255 Plant filing fee		120	320	220	160	Filing a b	rief in support	of an appeal	
108 740 208 370 Reissue filing fee		121	280	221	140	Request	for oral hearin	ng .	
114 160 214 80 Provisional filing	fee	138	1,510	138	1,510	Petition t	o institute a po	ublic use proceeding	
SUBTOTAL (1) (\$)	740.00	140	110	240	55	Petition t	o revive – una	voidable	
```		141	1,280	241	640	Petition t	o revive - unin	ntentional	
2. EXTRA CLAIM FEES Extra Fee from	า Fee Paid	142	1,280	242	640	Utility iss	ue fee (or reis	ssue)	
Total Claims 25 -20** = 5 X 18.00	= 90.00	143	460	243	230	Design is	ssue fee		
Independent 3 -3** = x	= 0.00	144	620	244	310	Plant iss	ue fee		
Multiple Dependent	7=	122	130	122	130	Petitions	to the Commi	issioner	
		123	50	123	50	Processi	ng fee under S	37 CFR 1.17(q)	
Large Entity Small Entity		126	180	126	180	Submiss	ion of Informa	tion Disclosure Stmt	
Fee Fee Fee Fee Fee Descr	Iption	581	40	581	40	property	(times numbe	t assignment per r of properties)	
103 18 203 9 Claims in excess of 20 102 84 202 42 Independent claims in		146	740	246	370		submission aft 1.129(a))	er final rejection	
104 280 204 140 Multiple dependent ct		149	740	249	370		additional inv d (37CFR 1.1;		
109 84 209 42 ** Reissue independe over original patent		179	740	279	370			Examination (RCE)	
· ·		169	900	169	900		for expedited gn application		
110 18 210 9 ** Reissue claims in e and over original pa		Other	fee (spec	ify)					
SUBTOTAL (2) (\$) 90.00 *Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) **or number previously paid, if greater, For Reissues, see above						130.00			
SUBMITTED BY	SUBMITTED BY Complete (if applicable)								
Name (print/type) Jody C. Bishop			ration No. ey/Agent)	44,	034		Telephone	(214) 855-8007	
Signature 36		<u> </u>	-2 - 3 7				Date	November 16	2001

Signature	M	4 12		Date	November 16, 2001
Fee Transmittal I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an					
envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.					

Dated: November 16, 2001







COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE

> WASHINGTON, D.C. 20231 www.uspto.gov

APPLICATION NUMBER

JAN 1 6 2002

FILD G/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

09/945.111

08/31/2001

Gary R. Klein

10010454-1

**CONFIRMATION NO. 2097** 

FORMALITIES LETTER

OC000000006911858\*

**FULBRIGHT & JAWORSKI L.L.P.** Jody C. Bishop **Suite 2800** 2200 Ross Avenue Dallas, TX 75201

COPY OF PAPERS ORIGINALLY FILED

Date Mailed: 10/15/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

01/22/2002 BABRAHA1 00000293 09945111

01 FC:101 02 FC:105 03 FC:103 740.00 DP 130.00 OP 90.00 DP FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

MAR 2 7 2002

Technology Center 2100

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- o The statutory basic filing fee is missing. Applicant must submit \$ 73% to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$90.
  - □ \$90 for 5 total claims over 20.
- The oath or declaration is missing. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or path or declaration surcharge as set forth in 37 CFR 1.16(I) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

• The balance due by applicant is \$ 336.

960

A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



### COPY OF PAPERS ORIGINALLY FILED

shown below.

Dated: November 16.

\_Docket No.: 10010454-1

I hereby certify that this correspondence is being deposited with

the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231, on the date

(PATENT)

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Gary R. Klein, et al.

Application No.: 09/945,111

Filed:

August 31, 2001

Group Art Unit:

2184

Examiner:

Not Yet Assigned

For: SYSTEM AND METHOD FOR FLEXIBLE

PROCESSING OF MANAGEMENT POLICIES FOR MANAGING NETWORK ELEMENTS

### RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

**Box Missing Parts** 

Commissioner for Patents Washington, DC 20231

RECEIVED

MAR 2 7 2002

Dear Sir:

Technology Center 2100

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed October 15, 2001, Applicant respectfully submits a Declaration and a Power of Attorney.

Our check in the amount of \$960.00 covering the fee set forth in 37 CFR 1.16(e) is enclosed. The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2380.

Dated: November 16, 2001

Respectfully submitted,

Jody C. Bishop

Registration No.: 44,034

FULBRIGHT & JAWORSKI L.L.P.

2200 Ross Avenue

**Suite 2800** 

By

Dallas, Texas 75201

(214) 855-8007

Attorneys for Applicant